

## Charter Schools

Charter schools are a concept and entities that have arisen in most states including Texas. Charter schools differ from public schools in many ways and many parents are confused about them in general and specifically regarding serving children with disabilities. The purposes of Texas charter schools are to:

- 1) improve student learning;
- 2) increase the choice of learning opportunities within the public school system;
- 3) create professional opportunities that will attract new teachers to the public school system;
- 4) establish a new form of accountability for public schools; and
- 5) encourage different and innovative learning methods.

Charters are subject to fewer state laws than other public schools. The reduced legislation encourages more innovation and flexibility. State law does require fiscal and academic accountability. The state monitors and accredits charter schools the same as school districts.

In Texas there are four types of charter schools: Home-rule school district charters, but currently there are none in the state. Campus or campus program charters have been granted to several public school districts. University charters are authorized by the commissioner of education to public colleges and universities. Most of the charter schools in Texas operate under open-enrollment charters authorized by the commissioner.

Charter schools are subject to the curriculum requirements that school districts must follow. They must also implement reading diagnosis, accelerated reading instruction and dyslexia programs required of public schools and follow the state graduation standards. Students must be assessed by the STAAR test in the same grades and subjects as they would in the public school.

Charter schools must serve special education students just as they would be served in a school district. This includes the provision of special education and related services and Section 504 plans. Federal and state regulations must be followed and implemented so that all eligible students with disabilities at the charter school receive a free appropriate public education (FAPE) in the least restrictive environment (LRE). This includes the responsibility for childfind activities, and comprehensive evaluations. An ARD/IEP committee is responsible for determining appropriate accommodations and supports for the student and teachers, and a behavior intervention plan and positive behavior supports, if appropriate.

Charter schools do not have taxing authority and thus, generate no property taxes. While they receive some federal funds through TEA, the primary source of funding is from state funds. Formulas have been developed to determine the amount of funds that they will earn based on attendance and other factors. They are not required to provide 180 days of instruction or a 7 hour school day as public schools are. However, students must receive at least four hours of instruction per day. Student-teacher ratios or class size limitations are set by the school's charter, not by state law.

In the last few years online charter schools have begun to appear. Such programs raise issues regarding students with disabilities for educators and parents. These include: how are needed accommodations or modifications identified and provided? How are special services and related services (adapted PE, PT, OT, speech therapy) provided? Specially designed instruction? Can such programs exclude, or not enroll students with disabilities? What should an IEP look like for these students? What training must staff working with students with disabilities have?

The TEA Charter Schools homepage [www.tea.texas.gov/Texas\\_Schools/Charter\\_Schools/Resources\\_for\\_Parents\\_and\\_Students](http://www.tea.texas.gov/Texas_Schools/Charter_Schools/Resources_for_Parents_and_Students) has the information shown above and much more. Also there is a Frequently Asked Questions document. A number of these questions are listed here to assist readers in learning more about charter schools.



**What are the admissions requirements of open enrollment charter schools?** – The admissions policy is based on what was approved in the charter. However, with few exceptions, all students within the approved geographic boundaries and in the grade levels the charter is approved to serve are eligible for admission. The admissions policy must prohibit discrimination based on sex, national origin, ethnicity, religion, or disability. In most cases, the policy must describe a lottery process to be used when the number of applications to the school exceeds available space.

The school may only ask for basic information such as name, age, and address during the application process. Once a student is admitted and has registered and enrolled, the enrollment process begins. It is only then that the school may request information about past academic achievement, medical history, etc. Trial enrollment periods are not allowed under state law.

**Can a school withdraw a student who is not progressing in the program?** – A student may not be removed or expelled from a charter school for failure to progress in the program. A charter may only expel a student if they commit an expellable offense listed in the student code of conduct, and after disciplinary due process has occurred. The charter school must notify the district that a student resides in within three business days of any action expelling or withdrawing a student from the school.

**Are open-enrollment charter schools required to admit children with special needs?** – Yes. Open-enrollment charter schools must prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic ability, artistic ability (except as permitted by TEC § 12.1171), athletic ability, or the district the student would otherwise attend.

**Are charter schools required to provide transportation to students?** – A charter school does not have to provide transportation for students unless it is a requirement in the student's Individualized Education Program (IEP).

**Are the teachers at open-enrollment charter schools required to be certified?** – It depends. Teachers must have at least a baccalaureate degree unless they are a special education or bilingual education/ESL teacher. These teachers must also have state certification. The governing body of a charter holder may set the qualifications for teachers at a standard above what state law requires. They are not required to have a school nurse. There may or may not be teacher planning periods.

**What are the minimum qualifications to become a principal or a superintendent of a charter school?** – There are no minimum qualifications to become a principal or a superintendent at an open-enrollment charter school mentioned in rule or law. Each charter holder is responsible for describing personnel qualifications in the charter.



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